

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
vs.) NO. 04-10214 GAO
MOHAMAD M. HAMADE)

AFFIDAVIT

Now comes Vincent A. Bongiorni, Esq., and being duly sworn deposes and states as follows:

I am counsel for defendant, Mohamad Hamade. Mr. Hamade's case is scheduled to begin September 12, 2005. Counsel for defendant, Hamade, is currently scheduled to begin jury selection in the matter of United States v. Richardson, docket # 03-30047 MAP on August 29, 2005 before Judge Ponsor. Mr. Richardson is a detained defendant. This trial is expected to last until September 12, 2005 if not longer. Additionally, the government forwarded discovery to the defendant on May 25, 2005 consisting of a series of documents which were the subject of discovery requests in this case. These documents relate directly to the sole issue in this case, are all in Greek, and the Government indicated in its disclosure letter it would provide defense counsel with a translation as soon as one is received from the Office of International Affairs. On todays date I spoke with Assistant United States Attorney, Moffat, regarding the expected receipt of such translation in order to forward same to an expert witness retained by the defendant. I was informed the United States Attorney's office had made two requests for this material, the second of which occurred last week and Mr. Moffat was unable to provide counsel with a date for the production of these documents. It is reasonably necessary to continue the present trial date in order to provide a reasonable period of time to permit defense counsel to obtain the outstanding discovery materials with a reasonable period of time in the interim to have them examined by his experts in preparation for trial in view of defense counsel's trial schedule in United States v. Richardson. I have currently scheduled a series of trials in October, 2005 in the Hampden

County Superior Court with defendants who are detained that will occupy most if not all of that month and requests a date convenient to all parties after November 6, 2005.

Signed under the pains and penalties of perjury this 1st day of August, 2005.

/s/ Vincent A. Bongiorni

—
Vincent A. Bongiorni